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WHATCOM COUNTY COUNCIL  
**Planning and Development Committee**

November 18, 2003

The meeting was called to order at 3:00 p.m. by Committee Chair Seth Fleetwood in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Dan McShane  
Laurie Caskey-Schreiber

Absent:

None

Also Present:

Barbara Brenner  
Sharon Roy

**COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL – COMP. PLAN**

**1. ORDINANCE ADOPTING AMENDMENTS TO THE LAND USE CHAPTER OF THE WHATCOM COUNTY COMPREHENSIVE PLAN (CHAPTER 2), WHICH INCLUDES RURAL LANDS (AB2003-075E)**

***Caskey-Schreiber moved*** to amend finding 19 in the ordinance to include the recent farm gate values for Whatcom County.

***Motion carried unanimously.***

Brenner referenced the second and third paragraph in the Background Summary section and asked if they know they don't have ample commercial land.

Matt Aamot, Senior Planner, stated an industrial land study came out in August. More than 14,000 acres are designated industrial. Almost 8,000 acres don't have environmental constraints. Some of the acres that don't have environmental constraints is built upon. When they subtract out that amount, it leaves about 4,000 acres. The projected demand is about 2,400 acres. An issue with developing that land is access to sewer and water. There isn't a detailed study of commercial land like they did for industrial land. The ECONorthwest report references how much they need.

Brenner asked for better information in the future. There is a lot of commercially-zoned property, and there are questions about whether there is a need for more commercial land.

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1 Fleetwood asked if the land referenced on page 2-5 refers to all the land in  
2 the county, including the urban areas. Aamot stated it does, outside the national  
3 park and national forest.

4  
5 **Caskey-Schreiber moved** to amend the third paragraph on page 2-5,  
6 "Ample **Adequately** serviced industrial and commercial land...."

7  
8 **Motion carried unanimously.**

9  
10 Kraig Olason, Senior Planner, stated that changes the intent. The original  
11 intent was to say there is plenty of land, not that it's adequately serviced.

12  
13 **McShane moved** to rescind the previous vote and amend the third  
14 paragraph on page 2-5, "Ample **Adequate supply of** serviced industrial and  
15 commercial land...."

16  
17 **Motion carried unanimously.**

18  
19 Brenner asked for an explanation of language in the first sentence in the  
20 second paragraph on page 2-6. Don't include "driving up prices." Prices are driven  
21 up much more by other things. It's mostly about people coming here from other  
22 places. They're driving up the prices.

23  
24 **Caskey-Schreiber moved** to amend the second paragraph on page 2-6, "It  
25 is important to provide an ample **adequate** supply of land planned and zoned for  
26 various types of uses to avoid driving up prices or precluding development."

27  
28 **Motion carried unanimously.**

29  
30 Brenner asked for an explanation of the second sentence in the first  
31 paragraph of the Accommodating Growth section on page 206. Aamot stated they  
32 are trying to funnel growth into urban areas so there's less development pressure  
33 in rural areas.

34  
35 McShane stated rural areas don't need to go through development  
36 regulations because it is rural and impacts are less. They end up with more  
37 regulations with more people because impacts are potentially harmful to neighbors.  
38 Development standards go up in areas with more people. That sentence does a  
39 reasonable job of leading to goal 2A.

40  
41 Caskey-Schreiber stated it misses the larger point that it is cost-efficient to  
42 encourage growth in urban areas. Olason stated it gets at the fact that when they  
43 have to have extraordinary regulations, they've failed to meet the vision. The way  
44 it reads, it's saying this shouldn't be a situation where they have so much  
45 development intensity that they have to have extraordinary regulations. It  
46 characterizes something that has been encroached.

1 Caskey-Schreiber stated some would say that composting regulations for  
2 mushroom farming are extraordinary. They were necessary because there are  
3 areas in the county that have high density.  
4

5 McShane stated that's what this language says. Avoid putting people in  
6 conflict. Don't have a lot of develop in the resource areas, so they don't have to  
7 have extraordinary regulations.  
8

9 Brenner stated there should be a better way to say that.

10 McShane stated there may be a better way, but it does the job.

11  
12  
13 Caskey-Schreiber referenced goal 2A. At some point, they aren't going to be  
14 able to ensure the provision of sufficient land.  
15

16 Fleetwood stated he agreed. It implies a never-ending supply.  
17

18 McShane stated this particular goal about accommodating growth will make  
19 people uncomfortable. However, if they don't plan to accommodate growth, they  
20 may undermine what makes this county a desirable place to live. He thinks about  
21 the amount of people who could be living in the unincorporated areas of the county  
22 that could be accommodated by current zoning. It puts some emphasis on the fact  
23 that the City should do some planning to accommodate for growth or else growth  
24 will all end up in the county. The County doesn't have to accommodate every  
25 possible type of housing that people may or may not want. If a two-acre lot is not  
26 available, the County doesn't have to create two-acre lots.  
27

28 **Fleetwood moved** to amend goal 2A, "Ensure provision of sufficient land in  
29 all designations [REDACTED] to accommodate the growth needs...."  
30

31 **Motion carried unanimously.**  
32

33 **McShane moved** to amend policy 2A-2 on page 2-7, "Where existing zoning  
34 or land does not already prohibit it...." They shouldn't preclude themselves from  
35 changing zoning to draw a distinct boundary between urban and rural areas.  
36

37 Brenner stated people depend on zoning. This is not set in stone, but they  
38 should respect existing zoning and not just take it out of there.  
39

40 Fleetwood stated there is still a right to apply for a rezone.  
41

42 McShane stated he understands the concern. The motion doesn't say they  
43 are going to change zoning. They should not draw a distinct boundary just because  
44 the land is zoned a certain way.  
45

46 Fleetwood agreed. Having that language ties the County's hands.  
47

1 Brenner stated this is a policy that says they should consider it seriously. It's  
2 not a regulation. This language shows respect for existing zoning.

3  
4 Caskey-Schreiber stated policy 2A-5 addresses Councilmember Brenner's  
5 concern. Urban growth area (UGA) expansions don't respect the zoning that's  
6 there. This happens all the time. This is the reality.

7  
8 McShane stated that one couldn't draw the designation line that doesn't  
9 agree with the zoning unless there is a Comprehensive Plan amendment because  
10 this language prohibits it.

11  
12 Fleetwood asked if the motion would make the language vague. Aamot  
13 stated the Growth Management Act (GMA) defines UGA's as high densities and tried  
14 to preserve rural areas with low densities. The only exception in rural areas is  
15 areas of more intense rural development. The criteria they use in the GMA is  
16 existing development.

17  
18 **McShane amended his motion** to amend policy 2A-2 on page 2-7, "Where  
19 existing zoning or land development does not already prohibit it..."

20  
21 **Motion carried unanimously.**

22  
23 Caskey-Schreiber referenced policy 2A-8. Only two areas are considered  
24 crossroads commercial. They should allow those areas to infill only, and require  
25 them to adhere to the logical outer boundary. Aamot stated this a general section  
26 of chapter two, which relates to urban growth areas and rural land. These policies  
27 apply to all land uses, not just rural lands.

28  
29 Caskey-Schreiber asked why, if these are general policies to the entire  
30 county, why they would specify one designation that has only two areas in the  
31 county.

32  
33 Sylvia Goodwin, Planning Division Manager, stated there are areas on the  
34 Guide Meridian that qualify for crossroads commercial, but just aren't designated.

35  
36 McShane stated there is another place in the Comprehensive Plan to deal  
37 with the crossroads commercial designation.

38  
39 Goodwin stated policy 2A-13 addresses the concern.

40  
41 Caskey-Schreiber referenced policy 2A-9, and asked if it's a mandate to do  
42 that. Aamot stated it's a policy direction from the 1997 Comprehensive Plan.

43  
44 Caskey-Schreiber asked why they are encouraging more access. In later  
45 areas of the chapter, it says they should not increase access to high traffic  
46 corridors.



1  
2 Caskey-Schreiber asked if policy 2A-10 is about Cherry Point. Aamot stated  
3 it is.  
4

5 Caskey-Schreiber stated she would like Councilmember Roy to address this  
6 section.  
7

8 Fleetwood asked if there is a realistic scenario where they would readdress  
9 the heavy industrial zones. During next year's Comprehensive Plan amendments,  
10 they will look at all of the urban growth areas. They can look at the heavy  
11 industrial zones then. The policies that exist now talk about retaining that area as  
12 an industrial area.  
13

14 Olason stated that if they want to discuss it, they could make it a work item  
15 rather than a policy change.  
16

17 Brenner referenced the end of policy 2A-12. Roads are not a natural  
18 division, and should not necessarily be a natural boundary.  
19

20 Caskey-Schreiber stated a good example is the Badger Road, north of  
21 Lynden. It is an area that would be very difficult to breach, and allow another  
22 homestead on Badger Road. Roads have become natural boundary lines.  
23

24 Brenner stated she has a problem when there are expansions of urban  
25 growth areas. So many times, they use roads as a reason to expand. Roads  
26 shouldn't be seen as natural bridges. Roads shouldn't be used as a tool to make a  
27 determination of an urban growth boundary. Where they can, the urban growth  
28 boundary shouldn't be on a road.  
29

30 *(Clerk's Note: End of tape one, side A.)*  
31

32 Brenner continued to state that Badger Road just happened to be a natural  
33 division. However, it creates a lot of push for the people on the other side of the  
34 road to develop.  
35

36 Fleetwood stated it's a matter of fact that roads demark land uses.  
37

38 Brenner stated they don't, necessarily.  
39

40 Goodwin stated this means that if one person owns two different pieces of  
41 land, they shouldn't split the zoning or UGA down the middle, like the piece of  
42 property they're dealing with at Hinote's Corner. For instance, if one person has a  
43 piece of land with half on one side and half on the other side of Badger Road, it  
44 would be okay to use Badger Road as a UGA boundary because the person's land is  
45 already split in half by the road. That's what it means. It doesn't say that all UGA  
46 boundaries have to follow roads or rivers. If one person's contiguous land in

1 common ownership shouldn't be split by a zoning line, unless there's already  
2 something splitting it, like a road.  
3

4 Brenner asked if there is a definition of "limited areas of more intense rural  
5 development." Goodwin stated she's not sure. The definition is in the Revised  
6 Code of Washington (RCW). Staff will update the bibliography as the last thing to  
7 do in this process.  
8

9 **McShane moved** to strike the last sentence in the first paragraph of Resort  
10 Communities and Master Planned Resorts section on page 2-8. Aamot stated the  
11 Lily Point people did not appeal the Council decision to deny extension of the  
12 deadline. The motion would be appropriate.  
13

14 ***Motion carried unanimously.***  
15

16 McShane stated the Resort Communities and Master Planned Resorts section  
17 worries him. Whatcom County has a history of having resort communities and  
18 master planned resorts that have turned into non-resorts. Kendall is an example.  
19 Sudden Valley has changed from its original intent. He's nervous about these kinds  
20 of things. He questioned whether they want to continue to encourage these things  
21 at all. He's more comfortable with them within an urban growth area. He asked if  
22 the County is required to encourage them. Olason stated they are optional under  
23 the GMA. All are meant for a temporary stay and a transient-type use. There are  
24 strict limitations on the type of ownership and the length of stay allowed. The use  
25 is non-residential. The use is recreational. They turn into low-income housing on  
26 many occasions. There are ways to develop them where they have to be under the  
27 ownership of a company. They have to have unique settings or something that is a  
28 real draw. He doesn't know where there is a piece of ground left in Whatcom  
29 County that is big enough to create a resort.  
30

31 Goodwin stated the Mt. Baker area is hoping to get additional tourism  
32 development. There are probably some areas in the east part of the county that  
33 are sort of suitable for destination resorts. This is talking about a new master plan  
34 resort like Semiahmoo or the golf course at Point Roberts, which is much bigger  
35 than what they currently allow. It might be good for the economy.  
36

37 Olason stated the planned resorts are required to be separate from the  
38 residential areas. It would have to be operated by a business, not a communal  
39 homeowner's association.  
40

41 McShane stated it seems it would be better if someone just comes forward  
42 with a Comprehensive Plan amendment to do a project, rather than trying to allow  
43 for it generally in the Comprehensive Plan. Olason stated they don't have zoning  
44 that allows it right now. They'd have to encourage the completion of the text  
45 amendment, which would be the standards under which it would be reviewed.  
46

1 Brenner stated she'd like to see plans on a case-by-case basis. There's no  
2 need to promote it. When they find specific sites that are appropriate, don't  
3 preclude the development. Amend goal 2B to assess, not encourage, the continued  
4 viability of existing resort communities.

5  
6 **Fleetwood moved** to amend goal 2B, "Encourage Assess the continued  
7 viability...."

8  
9 McShane stated he's fine with encouraging the existing communities. His  
10 concern is more with future developments. Evaluate the goal of allowing master  
11 planned resorts in the future.

12  
13 Roy stated tourism is clean. People come and then leave. For some of the  
14 areas around here that are untapped in terms of tourism, particularly the east  
15 county, she'd hate to eliminate it as a clean, sustainable source of economic  
16 development. The County can benefit from high quality areas such as the  
17 Nooksack Tribe's notion of providing a resort area with a tram that goes up the  
18 mountain. The county could benefit a lot from having a high-quality resort.

19  
20 Olason stated the master planned resorts are stand-alone things, separate  
21 from the community. This master plan concept is new and a destination-type of  
22 development.

23  
24 **Fleetwood withdrew his motion.**

25  
26 **McShane moved** to amend goal 2B, "Encourage the continued viability of  
27 existing resort communities and allow the development of new Master Planned  
28 Resorts in the near future." It doesn't preclude tourist development. His problem  
29 is with master planned resorts. They need to spend a lot of time on how to do  
30 those in the future.

31  
32 Fleetwood asked if policy 2B-2 refers to the Comprehensive Plan policies or  
33 the countywide planning policies.

34  
35 McShane stated he has a suggestion for changing that language.

36  
37 Brenner stated she's not comfortable with taking out the last part of the  
38 sentence in goal 2B. Many goal 2B policies are connected to the second part of the  
39 goal's sentence. They need to say something about the problem of having resorts  
40 turned into slums, rather than taking out the language that is connected with the  
41 policies.

42  
43 Fleetwood stated he is against the motion. Master planned resorts are  
44 allowed.

45  
46 McShane stated his goal is to not allow master planned resorts.  
47

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1 Caskey-Schreiber asked if a master planned resort a housing resort. Olason  
2 stated it must have a destination feature. There is a reason to stay for a day or  
3 two. There would be a major investment in facilities for a short-term stay.  
4

5 Caskey-Schreiber stated she is fine with that concept. That would be ideal  
6 for the ski area. Olason stated Paradise was developed for a semi-permanent  
7 development. The codes would allow language for a limited stay and addressed  
8 ownership and the mechanisms of operation.  
9

10 Brenner stated she would like to see wording in the goal to let people know  
11 what the intent is, which is not for permanent housing. Olason suggested that  
12 would be a policy.  
13

14 Goodwin suggested amending policy 2B-7, "Master Planning Resorts should  
15 only include ~~other~~ **year-around** residential uses within its boundaries..." The  
16 problem is what they do with an area like Semiahmoo, where retired folks live there  
17 year-around to golf.  
18

19 Brenner stated that unless they make really discriminatory statements, they  
20 will end up with something they don't want.  
21

22 Olason stated the intent is not to allow residential use. It's a recreational,  
23 short-term use. The only allowance for a permanent stay is for workers.  
24

25 Roy stated having a destination resort in some of these areas might be good  
26 for the county, but they don't want the permanent residential use. Olason stated  
27 the language says that in policy 2B-7.  
28

29 Caskey-Schreiber stated that if the resorts are big successes, they attract  
30 residents who want to live near that atmosphere. Olason stated they can make a  
31 clear distinction that it not supposed to be for living there year-round. Other  
32 jurisdictions have required investments of over to \$1 million before they build the  
33 actual rental buildings. If someone wants to do one, they're not fly-by-night  
34 operations.  
35

36 Brenner stated that's why they need a statement of what they don't want, so  
37 it makes the intent clear.  
38

39 McShane stated the question is whether they really want destination resorts  
40 in Whatcom County. He's not sure the community wants them, even at Mt. Baker.  
41 Most people in the community like Mt. Baker just the way it is.  
42

43 Fleetwood stated he agreed, but the motion is too broad.  
44

45 Roy stated tourism is one of the least obnoxious options for economic  
46 development.  
47

1 Caskey-Schreiber stated the people in District 2 would like to see some kind  
2 of resort that caters to the ski area. It would be an asset for the county if done  
3 correctly.  
4

5 ***Motion failed 1-2 with McShane in favor.***  
6

7 Brenner asked to have language in goal 2B that adds the caveat that they  
8 can't convert master planned resorts into permanent housing.  
9

10 Fleetwood asked what happens if the resort closes during hard times, and  
11 there's an effort afoot to convert it into housing in some form.  
12

13 Brenner stated there could be a Comprehensive Plan amendment in that  
14 instance. Make sure people go into a project with their eyes open. It's implied that  
15 they can't use it for permanent housing, but the policy should say it. Include  
16 wording, "precluding the conversion of master planned resorts into permanent  
17 housing."  
18

19 Olason stated he could work on appropriate language. He'll bring language  
20 forward later.  
21

22 Caskey-Schreiber asked Councilmember Roy to comment on policy 2A-10.  
23

24 Roy stated she doesn't have any problem with the policy. Her issue is  
25 related to buffers between the two areas. She asked about buffers between heavy  
26 industry and urban growth areas. Olason stated there is a 660 feet buffer in Cherry  
27 Point on the northern and western boundary. Tosco sits against the boundary of  
28 the Sandy Point area. There's no buffer for the southern boundary. There are  
29 policies for the Cherry Point heavy industrial UGA section. That would be the place  
30 to add additional information on buffers. They'll look at those policies next year.  
31

32 Roy asked the difference between heavy and light industry. Aamot stated  
33 it's not in the Comprehensive Plan text. It's in the report that was done.  
34

35 Roy asked if the requirement is to have a certain amount of industrial land,  
36 or if the requirement is further defined between heavy and light industrial land.  
37 Goodwin stated a recent report addressed industrial land supply, but she couldn't  
38 remember if it differentiated between heavy and light industrial land. The  
39 ECONorthwest and supply study projections both just projected the demand for  
40 industrial land.  
41

42 Roy stated she would like to ask for a breakdown of the differences. There  
43 hasn't been any industrial development at Cherry Point for 30 years. In the  
44 meantime, there's been residential growth. She would like to see how close they  
45 are to their requirement for heavy industry.  
46

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1 Roy asked if there's a reason the DeLoit and Tusch study is not referenced.  
2 Goodwin stated it wasn't a study on industrial land supply. It was more on how to  
3 market industrial land and what kind of businesses they could attract. It concluded  
4 that Cherry Point was not suitable for many uses because it is too far from  
5 Bellingham. It didn't provide any information to incorporate into a policy.  
6

7 Roy stated it is relevant in the discussion about land use and how much  
8 heavy industry they need.  
9

10 **McShane moved** to amend policy 2B-2, "...should ~~only~~ **not** be permitted as  
11 ~~Master Planned Resorts and only when substantially compliance with these~~  
12 ~~policies.~~"  
13

14 Fleetwood asked if is a definition for an established resort area. Aamot  
15 stated there is resort commercial zoning in areas. This would establish a new  
16 designation outside of urban growth areas.  
17

18 Brenner asked what they define as established resort areas. Olason stated  
19 there are the Birch Bay area, Columbia Valley area, areas in Point Roberts, and  
20 several other areas on the way to Mt. Baker.  
21

22 Goodwin stated there is a small resort commercial area by Glacier.  
23

24 Brenner asked if staff foresees a problem with amending the language.  
25 Olason stated it would only hurt a future master planned resort community.  
26

27 McShane stated it only applies to areas outside UGA's or at an existing resort  
28 area. One could still do a master planned resort.  
29

30 Olason stated a master planned resort is a stand-alone item. This isn't about  
31 a planned unit development (PUD) or a resort-type development in a UGA.  
32

33 Caskey-Schreiber asked if someone could go through the Comprehensive  
34 Plan process for an area not zoned for a resort. Goodwin stated the person would  
35 need to have a Comprehensive Plan amendment and be in an urban growth area.  
36

37 Olason stated the person wouldn't comply with what a master planned resort  
38 community is supposed to be, which has a transient recreational focus.  
39

40 Fleetwood asked what an established resort area is. He asked if there is a  
41 formal definition. Olason stated there isn't a term that is a definition. An  
42 established resort area encompasses a range of existing uses.  
43

44 Fleetwood asked if it is sufficiently flexible to allow for something in an area  
45 that isn't presently a resort area.  
46

47 *(Clerk's Note: End of tape one, side B.)*

1  
2           Olason stated something has to be there at the site. There's nothing there if  
3 there's not a group of cabins and a club, and it's just bare land that has nice  
4 features.

5  
6           Brenner asked what Councilmember McShane concern is if they don't take  
7 that language out.

8  
9           McShane stated he's worried about new resort areas being established.  
10 There are existing resort areas in the county. He doesn't want any new ones.

11  
12           Brenner stated she doesn't agree. She thought the issue was conversion.

13  
14           McShane stated the question is whether the community of Whatcom County  
15 wants new resorts. He doesn't think it's beneficial. He's not sure people on Lummi  
16 Island, for example, would be happy about a new resort on the island.

17  
18           Caskey-Schreiber stated she appreciates Councilmember McShane's concern.  
19 She hopes this process will allow those people to have an opinion. Olason stated  
20 this would go through a public process during the zoning review process. There will  
21 be public hearings and an ability to appeal. As it is now, one couldn't have a new  
22 resort unless they adopt the follow-up zoning code. If they never do that, they  
23 don't have to discuss these policies. Currently, the zoning in the county doesn't  
24 have a provision for them.

25  
26           Fleetwood asked if the County would be obligated to create one if the Council  
27 voted for these provisions. Otherwise the zoning code would not comply with the  
28 Comprehensive Plan. Olason stated that's correct.

29  
30           Goodwin read a definition for a master planned resort.

31  
32           Fleetwood asked if there is a size limitation. Goodwin stated there is not.  
33 There is also no limitation on the length of stay allowed.

34  
35           Caskey-Schreiber stated she is a person who likes to travel locally. This is  
36 the type of thing she looks for. The people in the east county area near Mt. Baker  
37 would love to have tourist development in that area. The Foothills Chamber of  
38 Commerce and people in the Kendall area want jobs so they don't have to drive  
39 into Bellingham. If the County can create jobs out there, she's all for it. She won't  
40 support the motion.

41  
42           Roy stated tourists at a resort development would be nice, clean tourists.  
43 There's a huge group of people who would stay and not be intrusive to Whatcom  
44 County.

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1           McShane stated that in his view, the citizens of Whatcom County overall are  
2 not interested in drawing tourists in from Seattle so the ski areas can be flooded  
3 with more people.

4  
5           ***Motion failed 1-2 with McShane in favor.***

6  
7           ***McShane moved*** to amend policy 2B-9, "...under the Comprehensive Plan  
8 unless a finding is made that the land is better suited, and has more long term  
9 importance, for the master planned resort than for the commercial harvesting of  
10 timber." He came across language while working on the Department of Natural  
11 Resources (DNR) Lake Whatcom Landscape Plan. There was language about  
12 establishing a resort on county trust lands on Mt. Stewart. It would be a huge  
13 draw. The current use is current forestry. He's not interested in someone coming  
14 up with findings of fact that the better land use would be a huge resort up there.

15  
16           Brenner stated the motion is an excellent recommendation.

17  
18           ***Motion carried unanimously.***

19  
20           ***Caskey-Schreiber moved*** to amend goal 2C, "...can be provided and where  
21 urban densities are desired."

22  
23           Aamot suggested instead, "...and that are designated for urban densities."

24  
25           McShane stated they should leave the goal as it is. They've already  
26 discussed having some growth that would not necessarily be in urban growth areas.  
27 They would want to have that growth where there are adequate services. That's  
28 thoroughly covered in the previous policy 2B-6. In resort development, include  
29 capital facilities, utilities, and services. Make sure they have the capital facilities to  
30 support growth wherever it is.

31  
32           Fleetwood asked if people could conceivably subvert the goals by claiming  
33 they can provide adequate services.

34  
35           Caskey-Schreiber stated that's what her concern is. They need language  
36 about where they have or want to have designated higher densities.

37  
38           Goodwin stated that means anything not currently zoned for urban growth  
39 can't be increased. If they discover one of their urban growth areas are too small,  
40 they can never enlarge it. If they discover zoning isn't appropriate in a small town  
41 or in Point Roberts, they can't increase it.

42  
43           Fleetwood stated adequate services can always be provided. They have the  
44 capacity to do that. Goodwin stated that's correct. However, by saying they would  
45 limit growth to areas already designated for growth, it means once they are full,  
46 they are full. If they use the term "desire," the problem is that half of the residents  
47 in the Bellingham urban growth areas don't desire density. It's too subjective.

1  
2 Olason stated they have to look at the policies and how they apply to all  
3 areas of the county.  
4

5 McShane stated the goal is for capital facilities. They don't have to worry  
6 about density in this language. Growth should be channeled to where there are  
7 services. It's tied to capital facilities. They're trying to bring too many things into  
8 this.  
9

10 McShane called the question.  
11

12 Caskey-Schreiber asked if Councilmember McShane is not concerned that in  
13 areas such as Lake Whatcom and Lake Samish where the services exist, people will  
14 be calling for more roads and development.  
15

16 McShane stated the language says they will channel growth to areas where  
17 adequate services can be provided. They're trying to expand that issue beyond  
18 what this little section is about, which is capital facilities.  
19

20 **Fleetwood** stated it's broader than that. The goal is under the capital  
21 facilities heading, but capital facilities stimulate growth. The language talks about  
22 channeling growth. He **moved** to amend the motion to amend goal 2C, "Channel  
23 growth to areas where [REDACTED] adequate services can be provided [REDACTED]  
24 planned."  
25

26 Olason suggested amending the goal, "Provide adequate capital facilities  
27 where growth is planned."  
28

29 Roy stated the language reverses the entire intent.  
30

31 Fleetwood asked whether this entire goal is even necessary.  
32

33 Hart stated it is important to keep the goal. First, where they invest the  
34 rural sales tax for commercial and industrial development is also their  
35 responsibility. That's the Council's tool to say where they want to encourage stuff.  
36 In the urban growth area north of Ferndale, there are three major light industrial  
37 and commercial areas exploding right now. All three have certain needs for water,  
38 utility, and road infrastructure needs. They are channeling growth into that place.  
39 It's important to think about how they would use the fiscal spending tools to  
40 channel economic development. They will use this goal in economic development.  
41

42 **Fleetwood withdrew his motion to amend the motion.**  
43

44 **Caskey-Schreiber withdrew her motion to amend.**  
45

1           McShane moved to amend the first paragraph in the Regulations section on  
2 page 2-10, "...At the same time **some** people want to see regulations streamlined  
3 and reduced...."

4  
5           ***Motion carried unanimously.***

6  
7           ***McShane moved*** to amend the first paragraph in the Regulations section on  
8 page 2-10, "...and efficient decision-making. **Regulation should be enforced.**  
9 People would like to see an incentive...."

10  
11           ***Motion carried unanimously.***

12  
13           Caskey-Schreiber referenced policy 2D-1 and asked what regulations are  
14 unnecessary.

15  
16           McShane stated it allows them to get rid of any regulation they may find is  
17 unnecessary.

18  
19           Goodwin stated it ties to the natural resource policy integration they will talk  
20 about with the water resource inventory area (WRIA) process. A question is  
21 whether they really need a separate State Environmental Policy Act (SEPA)  
22 regulation, shoreline regulation, and critical area regulation when they all regulate  
23 buffers, or whether they could be combined to be more efficient. That's what may  
24 be coming up in the future. The WRIA plan calls for integration and coordination  
25 between various levels of regulations that all regulate the same thing.

26  
27           Hart stated the Planning Division talks to the Land Use Division annually  
28 about how the regulations are working. It would be more accurate to say,  
29 "Eliminate unnecessary regulations through an annual review process." That's what  
30 they are currently doing. The County would not be in violation of the policy if they  
31 don't come up with anything.

32  
33           Olason stated staff writes codes separate from other codes. Sometimes they  
34 end up with overlaps that they don't realize until someone tries to do a project.  
35 Believe it or not, there are unnecessary regulations.

36  
37           Caskey-Schreiber stated there are also gaps.

38  
39           Roy asked if they ever have conflicting regulations. Olason stated they do  
40 once in a while. They would want to rectify those conflicting regulations.

41  
42           Fleetwood asked staff for ideas on how to get through this chapter on time.  
43 Olason stated regulations are where they make these things happen. If the policies  
44 don't preclude what the Council wants to see happen, then maybe the policies are  
45 alright.

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1 Goodwin stated they can push into January. They still have amendments to  
2 the Bellingham Urban Fringe Plan to go through. They still have to finish the  
3 Environment Chapter and the population discussion.  
4

5 Fleetwood asked if the Council is creating any unintended burdens on staff.  
6 Goodwin stated they are not. However, she is really concerned about what she  
7 heard at the WRIA meeting this morning. It looks like the Council is also supposed  
8 to get through hundreds of pages of the WRIA plan in December and January. The  
9 Council has no meetings scheduled in December after December 9. They won't  
10 have time to work on it after December 9, if they are still working on population  
11 impact fees. The Lake Whatcom downzone is breathing down their necks, also.  
12 Then there's Birch Bay and Lummi Island subarea plans. All these things are on  
13 top of the WRIA schedule. According to the WRIA schedule, it comes to Council in  
14 December and is done in January.  
15

16 The committee concurred to have a special Planning Committee meeting on  
17 Tuesday that is not a Council meeting day.  
18

19 Goodwin stated they might want to continue the existing meetings from the  
20 previous year to the first meeting in January.  
21

22 Roy stated this is an issue that someone from the Planning Department  
23 should discuss with the Water Resources Division.  
24

25 Fleetwood stated this would be held in committee at a future, unspecified  
26 date.  
27

### 28 **OTHER BUSINESS**

29  
30  
31 There was no other business.  
32  
33

### 34 **ADJOURN**

35  
36 The meeting adjourned at approximately 5:15 p.m.  
37  
38  
39

40 \_\_\_\_\_  
41 Jill Nixon, Minutes Transcription  
42

43 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON  
44  
45  
46  
47

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\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Seth Fleetwood, Committee Chair